

# ?: Do grammar & punctuation errors effect/affect how U view professional communication?

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*The single biggest problem in communication is the illusion that it has taken place.*

**George Bernard Shaw**

Have you ever received an email from a professional colleague that made you cringe and wonder about their professionalism? Have you received the same from a student? Unfortunately, those of us who teach legal research seem to be on the receiving end of these types of communications with some regularity. It is frustrating to say the least. It is also a teaching moment, however, as teaching professional communication skills can and should be part of our charge in preparing our law students for the legal profession.

I expect to have many teaching moment opportunities in the summer session that starts next week. I am co-teaching the online asynchronous 1-credit **legal research course** that our second year JD students are required to take. As I write, there are 110 students registered.

One of the most challenging aspects of teaching a course this size will be how to create teaching moments out of the poorly written and often passive-aggressive emails I will receive from students over the course of the summer. As legal research professors, we are all too familiar with emails that include statements such as “You failed to give me all the points!!!!” or “The question is clearly flawed!” or “My answer is clearly correct and let me tell you why you are wrong!” For good measure, these emails also frequently feature an inappropriate use of capitals, punctuation, and emoticons.

The first step in creating a teaching moment is to understand and acknowledge the underlying circumstances that create the problem. For me, the opening sentence of ***Seven Pillars of Wisdom*** by **T. E. Lawrence** (a/k/a Lawrence of Arabia) — “Some of the evil of my tale may have been inherent in our circumstances.” — summarizes the poor law student email communication situation perfectly.

Legal research is complicated. As instructors, we are well aware that providing answers to complex questions without the benefit of face-to-face clues from our students is challenging. In this regard, we sympathize with the challenges our students face in formulating thoughtful requests for assistance and professional responses to assessment grades.

We also understand the basis of their frustration. Legal research classes create frustration for a number of reasons. First, legal research classes require a disproportionate amount of work for the number of credits earned. Second, students are asked to perform at a level of attention-to-detail, which many have never before been pushed to attain, and to do so in the unfamiliar context of legal research. Third, they are so confident in their technology skills that they get frustrated when vendor platforms don’t perform in expected ways. Last, this all takes place under the burden of the dreaded law school grade curve where

one point often separates an A- from a B+. The expected results, students vent in the comfort and ease of email.

The problem is further compounded by the nature of **email communication**. Email has been around since 1993. It may have started as a research communication tool, but it has evolved to be a personal tool. This means that most of our students have been using email, and its abbreviated form texting, for years. Doing so without reading even one of the many online “**email guides**” or “**email etiquette**” advice columns! Now we are demanding, in many cases without notice, that they reconfigure this familiar and casual personal communication tool into a professional skill.

This lack of professional email skill is further evidence, if one needs it, that although our students come to us expressing confidence in their technology skills, most have not mastered professional technology skills. How we as instructors respond can go a long way in helping them master important professional email communication skills while they also master legal research skills.

I am still working on my teaching moment list, but the following have proven to be a good start:

- Encourage and note the importance of using the time in law school to develop professional skills. We hold a brief on-line and in-person synchronous orientation for the course. During the orientation, we note that now is the time to learn and adhere to professional standards, whether it be citation format, analytical thinking, or using proper grammar and spelling in professional communications.
- Include reminders to proof read and use spell check and grammar assistance tools whenever possible.
- Take care to ensure that your email responses remain professional in tone and format. Use proper salutations when addressing your students and proper closing statements and signature blocks.
- Keep it short, organized, and don't forget to check your own grammar and spelling.
- Pay attention to the subject line (change it as needed).
- Find teaching moments. On occasion, I have included statements that read “I know you didn't mean to say ....” or “I understand your frustration ...”
- Reach out to students who use communication tools other than email. I encourage students to call me, use Skype, or to come by my office. Face-to-face helps students understand that “tone” and “content” are important in professional communications.

As an attorney that worked with international clients, I spent a lot of late hours in my law office due to time zone differences. As a result, many a junior associate wandered into my office devastated over partner comments on their work. I always gave them my standard advice (*a/k/a* “the No-Free Shot Rule”).

In short, never give someone an opportunity to think less of your work because you have been sloppy or lazy.[1] Being wrong is often less a sin than looking sloppy or lazy.

I take the same approach with email communication. Today I tell my students, don't let anyone think less of your work because of your too-casual or passive-aggressive style, misspellings, or grammar errors. All the more important because in a short time my students will be communicating not just with their

professors, but with clients and opposing counsel. Post-law school email correspondence raises the professional bar even higher and will bring additional concerns regarding discovery, attorney work product, and client confidentiality. That however, is a topic for another blog post.

Do you have other examples of email communication issues? If so, please share them in the comments.

[1] Simple examples include (i) signing a letter that opened with “Please sign the following four documents and return them to me” in a letter that listed items 1, 2, and 4; (ii) replacing a page in a contract and not noticing the text didn’t track to the new page; and (iii) spelling the client’s name wrong.

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